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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/932,615	08/17/2001	Richard G. Hartmann	END920010020US1	5353

7590 06/30/2005
IBM CORPORATION - DEPT. 917
3605 HIGHWAY 52 NORTH
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EXAMINER

REILLY, SEAN M

ART UNIT	PAPER NUMBER
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2153

DATE MAILED: 06/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/932,615

Applicant(s)

HARTMANN

Examiner

Sean Reilly

Art Unit

2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 February 2005.
2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-106 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-106 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

This case has been assigned to a new Examiner. This Office action is in response to Applicant's amendment and request for reconsideration filed on 2/25/05. Claims 1-106 are presented for further examination. Independent claims 1, 18, 23, 32, 49, 58, 63, 71, 88, 105, and 106 have been amended.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-12, 17-20, 22-43, 48-82, 87-99, and 104-106 are rejected under 35 U.S.C. 102(e) as being anticipated by Boe et al. (U.S. Patent Number 6,122,276; hereinafter Boe).
2. As per claim 1, Boe teaches a method for processing a client (Figure 1, Component 18) session request received at a server (Figure 1, component 12) (line A, fig. 4), comprising the steps of: negotiating environment parameters for establishing a connection-oriented connection of said server with said client (line B, fig. 4, col. 4, lines 30-32); inviting said client to submit user variables (line C, fig. 4., client submits user variables to server; user variables include PSID, Power on, Location address=x, model=ml, etc); responsive to receiving a user variable requesting a custom confirmation record received at said server from said client, said server sending to said client a confirmation record (line D, fig. 4; host sends a confirmation response to

Art Unit: 2153

requesting client via the server to signify a connection and custom record data for enabling said client to engage in subsequent programmable negotiations directly with said server (line E, fig. 4, col. 5, lines 25-28., in response to the client request, host sends custom record data (local address x) to client, thus forming a custom confirmation record).

3. Claim 18 is rejected for similar reasons as claim 1 addressed above. Boe further teaches client (18, fig. 1)/server (20, fig. 1) system; a user exit program running on said server (abstract); said client operating in conjunction with said user exit program for requesting said custom confirmation record (lines A and B, fig. 4).

4. As per claims 2 and 3, Boe teaches negotiating, inviting, and sending steps executing within the application layer of a TCP/IP protocol stack; the step responsive to a user variable requesting a confirmation record, sending to said client a confirmation record without said custom record data (Fig. 4, lines C and D).

5. Claims 4-6 are rejected for similar reasons as claims 1-3. Boe further teaches confirmation record including a field defining a pass through data length, said pass through data including said confirmation record and said custom record data (RU, fig. 2, col. 4, lines 38-40, lines 64-66; col. 5, lines 7-10, lines 25-28; RU (Request/Response Unit) field includes subfields that indicate various data parameters of the request/response/packet); appending said custom record data to said confirmation record (line E, fig. 4; in addition to default response stated in claims 2-3 above, updated responses also includes custom record data x).

6. Claims 7-8 are rejected for similar reasons as claims 1 and 4-6. Boe further teaches request being for a defined custom confirmation record, said request including a list of one or more

predefined information items (local address x), further comprising the step of sending to said client defined data in said custom record data (line E, fig. 4).

7. As per claims 9-12 and 17, Boe teaches providing in said custom record data indicia identifying a device, terminal, associated device (line C, fig. 4., device model=ml) allocated by a host server; physical location (line C, fig. 4., local address=x) for receiving output; and custom information for interpretation by said client (col. 5, lines 25-29; host sends custom response record to client.)

8. As per claim 19, Boe teaches client being a Telnet client (col. 1, line 40).

9. Claims 20 and 22 are rejected for similar reasons as claims 1-8 and 18 addressed above.

10. Claims 23, 32, 49, 58, 63, 71, 88, 105, and 106 are rejected for similar reasons as claim 1 addressed above. Boe further teaches negotiating environment parameters for establishing a connection-oriented connection with said server (lines B, C, fig. 4; environment parameters include PSIO, Power on, LocAdd-x, etc.)

11. Claims 33-34, 59-60, 64-65, 72-73, 89-90 are rejected for similar reasons as claims 2-3 above.

12. Claims 35-37, 61-62, 66-68, 74-76, 91-93 are rejected for similar reasons as claims 4-6 above.

13. Claims 38-39, 69-70, 77-78, 94-95 are rejected for similar reasons as claims 7-8 above.

14. Claims 40-43, 48, 79-82, 87, 96-99, and 104 are rejected for similar reasons as claims 9-12 and 17 above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. Claims 13-16, 21, 4447, 83-86, 100-103 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boe et al, 6,122,276 (Boe hereafter) in view of Green et al, 6,003,084 (Green hereafter).

16. As per claims 13-16, Boe teaches the client negotiating with the host to establish a connection (line B, fig. 4). Boe further teaches plurality of new clients trying to log on and negotiating with the host for service connection (lines M, N, fig. 4). Boe does not specifically disclose providing in custom record data indicia identifying system security level and password encryption requirements, another device for retrying a rejected request, a reason for a failed auto-signon request, and a reason for denial of session connection request upon system overload and redirection to an alternate time or host. Green discloses the host identifies user credentials and authentication requirements such as valid userid and password or other cryptographic signatures before establishing a connection (col. 2, lines 61-65). Furthermore, it is well known in the art for a client to try to re-log after a failed request or the system sends a reply to the client with a reason for failed log-on, e.g, incorrect username or password, system is overloaded or busy or try later, or redirect the client to an alternate server, etc. Hence, it would have been obvious to one of ordinary skill in the art modify and combine the teachings of Boe and Green to incorporate security parameters to protect the system from unauthorized access, identify potential intruders

Art Unit: 2153

trying to access the system without proper privileges, and inform the users of failed log-ons so the users can contact proper authorities for proper access privileges or try to log-on an alternate server when the system is busy or overloaded.

17. Claims 21, 44-47, 83-86, 100-103 are rejected for similar reasons as claims 13-

18. 16 addressed above.

Response to Arguments

19. In response to Applicant's request for reconsideration filed on 2/25/05, the following factual arguments are noted:

- a. Boe fails to teach a confirmation record and other various server responses reaching the client.

In considering (a), Examiner respectfully disagrees with Applicant's argument.

Applicant contends that Boe fails to send a confirmation record to a client. However, Boe clearly teaches in figure 4, line E transmitting a confirmation record to the TN3270 server. It is noted that Applicant explicitly states this fact on pg 35 of Applicant's response dated 2/25/05. Within Boe's system, the TN3270 server (Figure 1, 18) is itself a client and therefore the client does receive a confirmation record.

Applicant also contends that other various server responses fail to reach the client.

However, the TN3270 server of figure 1, component 18 is itself a client within the Boe system. Therefore, by Applicant's own admissions in the response dated 2/25/05, Boe teaches all the limitations of Applicant's claimed invention.

Applicant is free to further to limit the definition of a "client" within the claimed invention, however until Applicant makes such an amendment the broadest reasonable definition of a "client" will be utilized by the Examiner.

Conclusion

20. The prior art made of record, in PTO-892 form, and not relied upon is considered pertinent to applicant's disclosure.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sean Reilly whose telephone number is 571-272-4228. The examiner can normally be reached on M-F 8-5.

Art Unit: 2153

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


6/22/05


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